

## REMARKS

The allowance of claim 3 is gratefully acknowledged.

### “The same”

The objection to the phase “the same” in claim 5 is respectfully traversed. Following this paragraph is a definition of “same” from The American Heritage Dictionary of the English Language (William Morris, Ed., Houghton Mifflin Company 1981). From this definition it can be seen that the phrase “the same” is an expression in the English language that bears no relationship to the concept of antecedent basis in the patent law. The phrases “same” or “a same” are acceptable, but awkward, in standard American English. The phrase “the same” is preferred. While “a” and “the” are commonly used in patent claims to set forth an element and refer back to the element, respectively, that is not the only use of the article “the” in the English language. Reconsideration is respectfully requested.

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left arm could not support his sword with his left hand.)

**same** (sām) *adj.* Usually preceded by *the*. 1. Being the very one; not different; identical. 2. Similar in kind, quality, quantity, or degree; equivalent; corresponding. 3. Conforming absolutely; unaltered; unchanged. Often used with *as*: *playing according to the same rules as before*. 4. Identical with someone or something previously mentioned or indicated; aforesaid. —*pron.* Usually preceded by *the*. See Usage note below. 1. A person, thing, or event identical with or similar to another. 2. A person or thing previously mentioned or described. —*all the same*. 1. Nevertheless. 2. Of no importance; of little significance. —*just the same*. 1. Nevertheless. 2. Identical or corresponding; unchanged. —*adv.* Preceded by *the*. In like manner; in the identical way: *He walks the same as his father*. [Middle English, from Old Norse *samr*. See **sem**-<sup>1</sup> in Appendix.\*]

**Synonyms:** *same, selfsame, identical, equal, equivalent*. These adjectives refer to the absence of difference or disparity. *Same, selfsame, and identical* are all applicable, when only one object is under consideration, in the sense of one and the same: *the same man I saw this morning* (or *selfsame* or *identical*). *Same* and *identical* are also used when two or more objects are considered. In this sense, *same* implies absence of difference with respect to kind, quality, quantity, or the like; *identical* specifies strict agreement in every respect and detail. *Equal* refers more generally to absence of difference between two or more with respect to extent, amount, value, force, or the like. *Equivalent*, referring to two or more, means not identical but having the same worth, effect, force, or meaning.

**Usage:** *Same* (pronoun) is usually preceded by *the*: *Each received the same*. A less acceptable construction employs *same* or *the same* in place of another pronoun, with the sense of *aforesaid thing or person*: *Thank you for the pen; I shall return same shortly. Land is plentiful, but is there great demand for the same?* Although grammatically possible, this usage is usually considered inappropriate outside legal or commercial contexts. In general usage, in such examples, *it* or another appropriate pronoun is preferable to *same*.

**sa·mekh** (sä'měk) *n.* Also **sa·mech**, **sa·mek**. The 15th letter of

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### Bond v. Lock

The objection to claims 16 and 19 is respectfully traversed.

Applicants respectfully submit that the Internet definitions of adhere, bond, and lock cited by the Examiner are oversimplified and out of context and that the Examiner is interpreting and using them in a way that goes beyond what the author(s) of those definitions intended. These definitions are intended to be part of "Wordnet." According to the home page of <http://wordnet.princeton.edu/> "WordNet's structure makes it a useful tool for computational linguistics and natural language processing." The structure of Wordnet is not adapted to subtle distinctions between words as used in human legal arguments. Natural language words are more complicated than that.

Words as used by human beings, rather than by computers, have semantic components. Enclosed at the end of this communication is a brief Internet article about semantic components. This article provides a good explanation of shared or contrastive semantic components of words. The words "adhere," "bond," and "lock" have a shared semantic component in the area of connection or fastening. However they have some contrasting components too.

The following definitions of "adhere," "bond," and "lock" are taken from The American Heritage Dictionary of the English Language (William Morris, Ed., Houghton Mifflin Company 1981)

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**ad-here** (ăd-hîr') *intr.v.* **-hered**, **-hering**, **-heres**. 1. To stick fast or together by or as if by grasping, suction, or being glued. Used with *to*. 2. To be devoted as a follower or supporter. Used with *to*: "to adhere to an enemy, is to become an enemy"

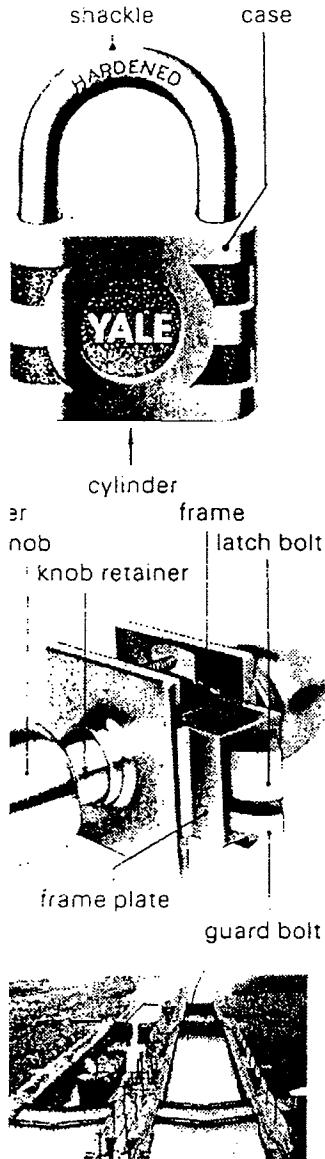
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(Donne). 3. To follow closely; carry out without deviation. Used with *to*: *adhere to a plan*. [Latin *adhaerēre*, to stick to : *ad*, toward + *haerēre*, to stick (see *ghais-* in Appendix\*).] —**ad·her'ence** *n.*

[French, from *bonbon*; **BONBON**.] —*n.* 1. Anything that binds, ties, or fastens together: *a.* Usually plural. A shackle; a fetter. *b.* A cord, rope, or band. *2.* Usually plural. Archaic. Captivity; confinement. *3.* Often plural. A uniting force or tie; a link: "A mystic bond of brotherhood makes all men one." (Carlyle). *4.* A binding agreement; covenant. *5.* The duty, promise, or obligation by which one is bound: "To trust a man on his oath or bond" (Shakespeare). *6. a.* A substance or an agent that causes two or more objects or parts to cohere. *b.* Such a union or cohesion. *7. Chemistry.* A **chemical bond** (*see*). *8. Law.* *a.* Any written and sealed obligation, especially one requiring payment of a stipulated amount of money on or before a given day. *b.* A sum of money paid as bail or surety. *c.* One who acts as bail; bondsman. *9. Finance.* A certificate of debt issued by a government or corporation, guaranteeing payment of the original investment plus interest by a specified future date. *10. Commerce.* The state or condition of storing taxable goods in a warehouse until the taxes or duties due on them are paid. *11.* An insurance contract in which an agency guarantees payment to an employer in the event of unforeseen financial loss through the actions of an employee. *12.* Any overlapping arrangement of bricks or other masonry components in a wall. *13.* A type of paper, **bond paper** (*see*). —**bottled in bond**. Said of whiskies bottled under government supervision prior to paying duties and stored in a bonded warehouse for a stipulated period. —**bonded, bonding, bonds**: —*tr.* *1.* To mortgage or place a guaranteed bond on. *2.* To furnish bond or surety for. *3.* To place (an employee or merchandise, for example) under bond or guarantee. *4.* To join securely; as with glue or cement. *5.* To lay (bricks or other building materials) in an overlapping pattern for solidity. —*intr.* To secure or hold something together with or as with a bond or bonds. [Middle English *bond*, *band*, from Old Norse *band*. See *bhendh-* in Appendix.\*] —**bond'a·ble adj.** —**bond'er n.**

**bond-age** (bōn'dij) *n.* *1.* The condition of a slave or serf; servitude; servitude. *2.* A state of subjection to any force, power, or influence.

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**lock<sup>1</sup>**  
Above: Padlock  
Center: Doorlock  
Below: The Miraflores  
locks of the Panama Canal

**10-61. PLURAL OF LOCK.**

**lock<sup>1</sup>** (lök) *n.* 1. A device used to provide restraint; especially, a key- or combination-operated mechanism used to fasten shut a door, lid, or the like. 2. Such a device used to prevent unauthorized operation of a machine. 3. A section of a canal closed off with gates and in which a vessel may be raised or lowered by the raising or lowering of the section's water level. 4. A mechanism in a firearm for exploding its charge of ammunition. Usually used in combination: *a flintlock*. 5. A jamming or locking together of elements or parts. 6. Any of several holds in wrestling. —*under lock and key*. Safely locked up. —*v.* *locked, locking, locks.* —*tr.* 1. *a.* To fasten with a lock to secure against passage or entry: *lock a door.* *b.* To shut by fastening all locks: *lock up a house.* 2. *a.* To confine or safeguard by putting behind a lock. Used with *in* or *up*: *lock the dog in for the night.* *b.* To put in jail. Used with *up*. 3. To engage and fix together securely; intertwine. 4. To clasp or embrace tightly. 5. To entangle in struggle or battle. 6. To jam or force together so as to make unmovable. 7. To equip (a canal or other waterway) with locks. 8. *a.* To pass (a vessel) through a lock. *b.* To furnish or section off (a waterway) with locks. 9. *Printing.* *a.* To secure (letterpress type) in a chase or press bed by tightening the quoins. *b.* To fasten (a curved plate) to the cylinder of a rotary press. Usually used with *up*. 10. To invest (funds) in such a way that they cannot be easily converted into cash. Used with *up*. —*intr.* 1. To become fastened by or as if by a lock. 2. To become entangled; interlock. 3. To become rigid or unmovable. 4. To pass or flow through a lock. —**lock horns.** To become embroiled. —**lock on.** To find, fasten onto, and automatically follow a target, especially with radar. [Middle English *lō(c)k*, Old English *loc*. See *leug-1* in Appendix.\*] **lock<sup>2</sup>** (lök) *n.* 1. A strand or curl of hair; tress; ringlet. 2. *Plural.* The hair of the head. 3. A small wisp or tuft, as of wool or cotton. [Middle English *lock*, *lok(k)*, Old English *loc*. See *leug-1* in Appendix.\*] **lock-aœ** (lök'ē) *n. Nautical.* 1. The passage of a vessel through

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It can be seen from these definitions that adhere has a semantic component associated with chemical gluing – and bond, invoked by Wordnet, has an even stronger chemical component, while lock has a semantic component associated with mechanical attachment.

When the claims say “locking unrelated to adhesion” the clear intent of the recitation is to invoke the contrasting semantic components rather than the shared semantic components. Cement can have an adhesive/gluing function. Therefore for it to cause a locking unrelated to adhesion means that it also has a mechanical locking function that is not related to its adhesion function. This is how a human being who is of ordinary skill in the art would read this language. The claim is intended to be read by such a human, not by a computer programmed with Wordnet.

This reading is consistent with the way terminology is defined in context in the specification and drawing, where the locking element performs a mechanical function.

Applicants respectfully submit that the Examiner is using these words outside their plain meaning in context and that one of ordinary skill in the art would not interpret them the way the Examiner does. Withdrawal of the objection is accordingly respectfully requested.

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### Rejection of claims 16-20 under section 112

This rejection is respectfully traversed.

The following text is excerpted from MPEP 2173.05(e).

### **A CLAIM TERM WHICH HAS NO ANTECEDENT BASIS IN THE DISCLOSURE IS NOT NECESSARILY INDEFINITE**

The mere fact that a term or phrase used in the claim has no antecedent basis in the specification disclosure does not mean, necessarily, that the term or phrase is indefinite. There is no requirement that the words in the claim must match those used in the specification disclosure. Applicants are given a great deal of latitude in how they choose to define their invention so long as the terms and phrases used define the invention with a reasonable degree of clarity and precision.

The invention as claimed in these claims is supported per Fig. 6 and p. 5, line 31 through the end of p. 6 of the specification. In this figure and the accompanying text, it is disclosed that the cement 81 and 811 fills an opening that tapers away from the base of the lamp. After the cement is cured, it forms a mechanical structure referred to as “interlocking” in the application. Applicants respectfully submit that the language that the Examiner objects to is merely a description of that interlocking. In other words, if a person were to pull on the light source at the end away from the base, the shape of the cured cement would pull back. This can be seen from drawing and the language of the specification. The fact that the wording of the claim is different from the wording of the specification does not mean that the wording of the claim is not supported by the specification.

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### ART REJECTIONS

The art rejections are respectfully traversed.

Since the references are many and/or complex, Applicants will confine their remarks to those portions of the references cited by the Examiner, except as otherwise indicated. Applicants make no representation as to the contents of other portions of the references.

Any of the Examiner's rejections and/or points of argument that are not addressed below would appear to be moot in view of the following. Nevertheless, Applicants reserve the right to respond to those rejections and arguments and to advance additional arguments at a later date. No arguments are waived and none of the Examiner's statements are conceded.

Applicants' prior arguments are incorporated by reference and supplemented as follows.

Applicants believe that the rejections are the same as before, and therefore mostly will respond here to the Examiner's response to argument section.

#### Van der Heijden "cap" (claims 1 and 11)

The Examiner refers to element 7 in van der Heijden as a "cap." Applicants respectfully submit that this does not make sense. Applicants' claim 1 recites a specific definition for "cap". This "cap" is on the end of the light source facing the light emission window and serves a purpose of intercepting unreflected light rays in a lamp that has a reflector. The cap is recited to at least partially surround the light source.

Van der Heijden's ring 7 is at the base of the light source, away from where any exit window might be expected.

Moreover, since the lamp of van der Heijden does not have a reflector, the context and

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purpose of this ring is totally different from that of the invention.

In addition, the ring 7 of the reference does not surround the light source 2 even slightly, which would be required by the claims.

One of ordinary skill in the art would not apply the van der Heiden reference as the Examiner does without an improper hindsight reconstruction informed by Applicants' claims and disclosure.

The case relied upon by the Examiner In re Lintner is a chemical case.

In that case, the claimed invention used cationic softeners in conjunction with detergents and detergent builders. The cationic softeners were alleged by the applicants to be made compatible with the detergents and detergent builders by use of a sugar.

The prior art Germann included all the elements of the claimed invention, except the sugar, and yet there did not appear to be a problem of compatibility. Accordingly, it was not clear to the court that the sugar was useful for the purpose the applicants alleged. Moreover, the prior art Rheiner and Speel had recognized that sugar improved the effectiveness of cationic softeners in the absence of any detergent or detergent builder.

Therefore the court was not convinced that the sugar in the application was serving a different purpose in the references in the first place. The sugar might have been serving exactly the same function in the application and in the references.

Accordingly, the statements regarding "different purpose" are merely *dicta* and not binding in different fact situations such as are found in the present application. Here the ring of van der Heijden really does serve a different purpose from the cap of the claims.

Withdrawal of the rejections is accordingly respectfully requested.

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### “Outer surface” (claim 4)

The Examiner states that, since an outer surface is taught by Maassen, the locking mechanism of van der Heijden can be exported to it.

Applicants respectfully disagree. The locking mechanism of van der Heijden is only compatible with being on an inner surface, since it attaches to the base, not to any surface around the light source. It is not at all clear how this particular locking mechanism could function in the context of the invention. Accordingly, one of ordinary skill in the art would not combine the references the way the Examiner does – and the comments of the Examiner constitute an impermissible hindsight reconstruction in light of Applicants’ claims and disclosure.

Withdrawal of the rejection of claim 4 is accordingly respectfully requested.

### “locking element “ (claim 5)

This claim recites a locking element which grips into a mating recess in the sleeve and lies enclosed within another portion in a mating locking recess of the cap.

Assuming *arguendo* that the ring 7 is a “cap” in van der Heijden, the locking element does not lie enclosed within another portion in any mating locking recess of the ring, but instead appears to protrude from the ring.

Applicants brought this point up in their last response, but the Examiner’s response to argument portion does not respond to this point. Applicants respectfully submit that this is improper.

The Examiner’s consideration of this point and withdrawal of the rejection of claim 5, as

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clearly erroneous, is accordingly respectfully requested.

### Interlocking (claim 9)

The Examiner states that “interlocking” is not defined in the specification. Applicants respectfully disagree. It is not necessary that Applicants specifically say “is defined to mean.” The use of the term in the specification is sufficient. The term “interlocking” is defined in context in the final paragraph of the disclosure, where the cement structure has an interlocking effect, pulling against the undesired motion.

“Wordnet” again has a grossly oversimplified definition. The following definition:

**va=interlock**

2 entries found.

interlock[1,verb]
interlock[2,noun]

Main Entry:

**¹in·ter·lock** □

Pronunciation:

\,in-tər-'läk\

Function:

*verb*

Date:

1632

*intransitive verb*

: to become locked together or interconnected *transitive verb* 1 : to lock together  
: UNITE 2 : to connect so that the motion or operation of any part is constrained by another

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was found at

<http://www.merriam-webster.com/cgi-bin/dictionary?book=Dictionary&va=interlock>

The online dictionary of “Merriam-Webster,” where this definition is found, is intended for human rather than machine use. This meaning of connection so that the motion or operation of any part is constrained by another is what is clearly invoked by the shape of the cement in Fig. 6, where the tapering shape pushes against the lamp base, to impede withdrawal of the lighting source.

### Claims 10 and 12

Claim 10 recites that the locking element is distinct from both the sleeve and the cap. In other words there are 3 elements here: sleeve, cap, and locking element.

The locking in van der Heiden involves inserting protrusion 12 of ring 7 into recesses in element 11. As Applicants have previously pointed out, van der Heiden’s ring 7 is not a cap and element 11 is not a sleeve, since the sleeve is supposed to be around the light source. However, even assuming *arguendo* that one could analogize van der Heiden’s structure to a sleeve and a cap, there would still only be TWO mechanical pieces involved in the locking – not 3.

Accordingly the combination fails to teach or suggest the invention of claim 10.

Claim 12 is somewhat analogous to claim 10, with respect to the argument advanced above, in that claim 12 also recites a distinct locking element.

Withdrawal of these rejections is accordingly respectfully requested.

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### Claims 13-15 (Ooms)

In rejecting these claims, the Examiner adds the Ooms reference. This reference relates to a lamp that does not have a reflector. One of ordinary skill in the art would not combine this reference with the other references, because there would be no need for the sleeve/cap combination in a non-reflector lamp. Reconsideration is accordingly respectfully requested.

### Double patenting

The cap is an integral part of the sleeve in the copending application. In order for one to need to lock on the cap of the co-pending application, one would first have to cut the cap off. Why would one do this? It does not make any sense. The reference relates to the product of an entirely separate manufacturing process, one where the locking issues of the invention are irrelevant. It therefore is simply not applicable to the problems addressed by the present application. Applicants made this point before, but the Examiner has not responded. Applicants respectfully submit that this is improper.

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### Conclusion

Applicants respectfully submit that they have answered each issue raised by the Examiner and that the application is accordingly in condition for allowance. Such allowance is therefore respectfully requested.

*Please charge any fees other than the issue fee to deposit account 14-1270. Please credit any overpayment to the same account.*

Respectfully submitted,

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## What is a semantic component?

### Definition

A semantic component is a potentially contrastive part of the meaning of a lexical unit.

### Example

The focal semantic component of *execute* is “put to death”.

### Kinds

Here is a table that describes some kinds of semantic components:

Semantic Component	Description	Example
<b>Contrastive</b> Also known as: diagnostic, distinctive, essential	Distinguishes one lexical unit from another	“Male” is the contrastive semantic component distinguishing <i>man</i> from <i>woman</i> , and <i>boy</i> from <i>girl</i> .
<b>Shared</b> Also known as: common	Occurs in each member of a group of lexical units	“Human” is a shared component for <i>man</i> , <i>woman</i> , <i>boy</i> , and <i>girl</i> .

### Context for this page:

- Concept module: semantic component
- In overview module: Glossary (Linguistics): S
- In modular book: Glossary of linguistic terms, by Eugene E. Loos (general editor), Susan Anderson (editor), Dwight H., Day, Jr. (editor), Paul C. Jordan (editor), and J. Douglas Wingate (editor)
- In bookshelf: Linguistics

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information.]

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